

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

SANDRA K. HOWARD

1027 County Road H
Edon, Ohio 43518

Plaintiff,

v.

BRUCE D. CARPENTER

15250 Frontier Road
Camden, Michigan 49232

Defendant.

) Case No.: 22-cv-01845

) Judge:

) Magistrate:

) **PLAINTIFF'S COMPLAINT**

) (*Jury Demand Endorsed Hereon*)

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) Attorneys for Plaintiff

Plaintiff Sandra K. Howard, by and through the undersigned counsel, hereby files this Complaint against Defendant Bruce D. Carpenter for injuries and damages arising out of an automobile collision that occurred on or about August 3, 2021 in Florence Township, Williams County, Ohio. In support of her claims, Plaintiff states as follows:

THE PARTIES

1. Plaintiff Sandra K. Howard is an individual and a citizen of the State of Ohio, residing in Edon, Williams County, Ohio.

2. Defendant Bruce D. Carpenter is an individual and a citizen of the State of Michigan, residing in Camden, Hillsdale County, Michigan.

JURISDICTION AND VENUE

3. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
4. Plaintiff's claims are brought under 28 U.S.C. § 1332(a)(1), based upon diversity of citizenship.
5. Because Plaintiff is a citizen of the State of Ohio, no Defendant is a citizen of the State of Ohio, and the amount in controversy exceeds \$75,000.00, diversity jurisdiction exists in this Court.
6. Venue is proper in this Court because this action arises from a motor vehicle collision occurring in Florence Township, Williams County, Ohio, which is located in this judicial district.

FACTUAL ALLEGATIONS

7. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
8. On or about August 3, 2021, Plaintiff Sandra K. Howard was driving her motor vehicle traveling eastbound on County Road H in Florence Township, Williams County, Ohio.
9. At all relevant times, Plaintiff was restrained by a shoulder and lap belt.
10. At the same time, Defendant Bruce D. Carpenter was operating his motor vehicle Southbound on County Road 2 in Florence Township, Williams County, Ohio.

11. As Defendant Bruce D. Carpenter reached the intersection of County Road H and County Road 2, he failed to stop at the stop sign and struck the vehicle being operated by Plaintiff Sandra K. Howard.

12. As a result of the force from the collision, the vehicle being operated by Defendant Bruce D. Carpenter continued off the left side of the roadway and overturned, while the vehicle being operated by Plaintiff Sandra K. Howard continued off the right side of the roadway and struck a stop sign.

13. The Ohio State Highway Patrol responded to the scene of the collision and cited Defendant Bruce D. Carpenter for failing to yield at an intersection, a violation of Ohio Revised Code § 4511.43(A).

14. Plaintiff Sandra K. Howard was transported from the scene by Emergency Medical Services to Bryan Community Hospital Wellness Centers where she was treated for serious injuries, including injuries to her wrists, right knee, and left collarbone.

FIRST CAUSE OF ACTION
(Negligence – Defendant Bruce D. Carpenter)

15. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.

16. Defendant Bruce D. Carpenter owed Plaintiff Sandra K. Howard a duty of care to adhere to the traffic laws of the State of Ohio and not operate the vehicle he was driving in such a manner that may cause injury to her.

17. Defendant Bruce D. Carpenter breached these duties and was negligent by failing to avoid collision with the vehicle which Plaintiff Sandra K. Howard was driving.

18. As a direct and proximate result of Defendant Bruce D. Carpenter's negligence, Plaintiff Sandra K. Howard sustained serious personal injuries, including but not

limited to injuries to her wrists, right knee, and left collarbone. Plaintiff was required to undergo medical care, incurred medical care costs, along with other economic losses, and incurred great pain and suffering.

19. Further, Plaintiff believes these injuries are permanent in nature, that Plaintiff will require future medical care and future medical care costs, and that she will continue to endure great pain and suffering.

WHEREFORE, Plaintiff respectfully requests judgment in her favor and against Defendant, in an amount that is fair and just and in excess of Seventy-Five Thousand Dollars (\$75,000.00), in addition to costs and other relief that this Honorable Court deems just under the circumstances.

Respectfully submitted,

/s/ Charles E. Boyk
Charles E. Boyk
Attorney for Plaintiff

JURY DEMAND

Plaintiff demands a trial by jury on all triable issues.

Respectfully submitted,

/s/ Charles E. Boyk
Charles E. Boyk
Attorney for Plaintiff